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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTIAG.

Devol Number (Collection)

REJEC	TION OVER A PENDING "REFERENCE" APPLICATION	Enz-52 (C2)
In re Application of:	Dean L. Engelhardt et al.	,
Application No.:	10/718,391	
Filed:	November 19, 2003	
For:	IN VITRO PROCESS FOR PRODUCING MULTIPLE COPIES O	
The owner. Enzo Life Sciences, Inc. of 100 percent interest in the Instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/713,183 , filed on November 14, 2000ch term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the Instant application and is binding upon the grantee, its successors or assigns.		
In making the above disclalmer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filled prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorly disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.		
Check either box 1 or 2 below, If appropriate.		
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may Jeopardize the velidity of the application or any patent issued thereon.		
2. XXXThe undersigned is an altorney or agent of record. Reg. No. 32,567		
	Much	JAN 27 2009
Signature Date		
-	Ronald C. Fedus Typed or printed name	
	21	2-583-0100
Authoriza	tion is hereby given to charge	Telephone Number
Terminal disclaimer fee under 37 CFR 1.20(d) EXAMENT to DepositeAccount No. 05-1135.		
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.		
	GFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). y be used for making this statement. See MPEP \$ 324.	

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If you need assistance in completing the form, call 1-600-PTO-9199 and solect option 2.

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